

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Gerard Lamont Sanders

Docket No. 5:07-CR-114-1FL

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gerard Lamont Sanders, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute More Than 50 Grams of Cocaine Base (Crack), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on January 10, 2008, to the custody of the Bureau of Prisons for a term of 136 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On September 11, 2013, the defendant's period of imprisonment was reduced from 136 months to 120 months.

Gerard Lamont Sanders was released from custody on May 22, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On December 20, 2017, during a visit with the defendant at his residence, the defendant submitted a drug screen that returned from the lab positive for cocaine. The defendant reported to the probation office as instructed on January 9, 2018, and was confronted with the result. The defendant denied using cocaine, instead stating he witnessed two people in the back of his car in possession of cocaine. The defendant stated he must have tested positive for cocaine as a result of taking the cocaine from the people in the car and discarding it because he could not be around illegal drugs. The defendant was advised he would not have tested positive for cocaine as a result of the situation he described, and he was admonished for associating with people engaged in criminal activity and for using cocaine. As a result of the violation of supervision, the defendant was referred for substance abuse treatment and was placed in the Surprise Urinalysis Program. The defendant was also given the choice of participating in a cognitive behavioral program which would allow him to explore how his thoughts affect his behaviors, or serving two days in custody with the addition of the DROPS Program. After considering his options and his current circumstances, the defendant opted to serve two days in custody along with the addition of the DROPS Program. It is recommended the defendant's supervision be modified accordingly. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8808
Executed On: January 17, 2018

ORDER OF THE COURT

Considered and ordered this 18th day of January, 2018, and ordered filed and made a part of the records in the above case.


Louise W. Flanagan
U.S. District Judge